

MEMO ENDORSED

Geoffrey W. Castello

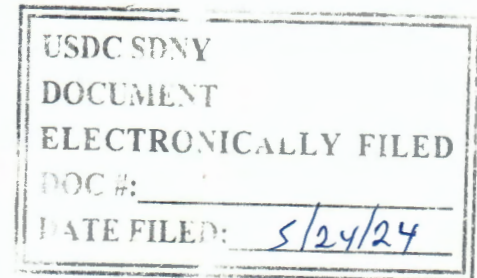
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May 23, 2024

Via ECF

Hon. Louis L. Stanton, U.S.D.J.
 United States District Court
 Southern District of New York
 500 Pearl Street
 New York, NY 10007



Re: *FTC, et al. v. Quincy Bioscience Holding Co., Inc., et al.*
Case No. 1:17-cv-00124-LLS

Your Honor:

We write jointly on behalf of Defendants Quincy Bioscience Holding Company, Inc., Quincy Bioscience, LLC, Prevagen, Inc., Quincy Bioscience Manufacturing, LLC (collectively, the "Corporate Defendants") and Mark Underwood, and Plaintiffs the Federal Trade Commission (the "FTC") and the People of the State of New York (the "NYAG"), concerning the proposed briefing schedule for the two issues discussed at the May 10, 2024 status conference, namely: (1) whether an independent standalone cause of action exists under New York Executive Law § 63(12); and (2) whether the Corporate Defendants face any liability under the FTC Act in light of the jury's findings.

The Parties propose a simultaneous exchange of opening briefs and responsive briefs for each issue, in accordance with the schedule below:

- Whether an independent standalone cause of action exists under New York Executive Law § 63(12). Briefs on this issue will be limited to twenty (20) pages.

Opening Briefs: June 14, 2024.

Response Briefs: July 12, 2024.

- Whether the Corporate Defendants face any liability under the FTC Act in light of the jury's findings.

The FTC believes that each side should confine their submissions to what is necessary and seek to avoid repetition, without a set page limit. The Corporate Defendants request that briefs on this issue be limited to twenty-five (25) pages.

So Ordered } Louis L. Stanton
 5/24/24

Opening Briefs: June 28, 2024.

Response Briefs: July 26, 2024.

No briefs
over 25 pp

So
Ordered
LLS
5/24/24

At this time, the FTC and the Corporate Defendants do not believe that reply briefs will be necessary for this issue. If either side would like to file a reply brief, they will request leave by July 31, 2024.

The Parties respectfully request that the Court provide guidance on whether a page limit for briefs on the issue of corporate liability under the FTC Act is necessary and "so order" the above schedule and proposal.

Respectfully submitted,

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